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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/034,794  | 12/28/2001  | Senaka Balasuriya    | 33692.01.0023       | 1315             |
| 23418   | 7590        | 06/15/2006           | EXAMINER            |                  |
| VEDDER PRICE KAUFMAN & KAMMHOLZ<br>222 N. LASALLE STREET<br>CHICAGO, IL 60601 |             |                      | ALAM, UZMA          |                  |
|   |             | ART UNIT             | PAPER NUMBER        |                  |
|   |             |                      | 2157                |                  |

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|------------------------------|------------------------|---------------------|
|                              | 10/034,794             | BALASURIYA, SENAKA  |
| Examiner                     | Art Unit               |                     |
| Uzma Alam                    | 2157                   |                     |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 11 April 2006.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-6, 16-21 and 26-30 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-6, 16-21 and 26-30 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 28 December 2001 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_ .  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_ .

## DETAILED ACTION

This action is responsive to the response to the arguments filed on April 11, 2006.

Claims 1-6, 19-21 and 26-30 are pending. Claims 1-6, 19-21 and 26-30 represent a multi-modal communication method.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 19-21 and 26-30 rejected under 35 U.S.C. 103(a) as being unpatentable over Boloker et al. US Patent Publication No. 2002/0194388 in view of Gbadegesin US Patent No. 6,754,709. Boloker teaches the invention as claimed including method for implementing multi-modal browsing (see abstract). Gbadegesin teaches the invention as claimed including an intelligent transparent gateway having the advantages of a proxy (see abstract).

As per claims 1 and 26, Boloker teaches an apparatus and method for multi-modal communication comprising:

a controller (the synchronization manager; pp 201); and

at least one multi-modal session proxy server having a proxy address, (the multi modal shell, Figure 24, pp 0073, 0090, 0201, 0202, 0206, 0225). Boloker does not teach wherein the controller determines, on a per session basis, a multi-modal proxy identifier representing the

proxy address of the multi-modal session proxy server. Gbadegesin teaches wherein the controller determines, on a per session basis, a multi-modal proxy identifier representing the proxy address of the multi-modal session proxy server. See column 8, lines 43-67 and column 9, lines 1-10.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the proxy server of Boloker with the determining proxy address on a per session basis of Gbadegesin. A person of ordinary skill in the art would have been motivated to do this to provide access to other servers which are slower and more costly to access.

As per claim 2, Boloker teaches the apparatus of claim 1 further comprising: at least one browser having a per session multi-modal proxy evaluator and a browser proxy identifier, wherein the browser is operably coupled to the controller and the at least one multi-modal session proxy server such that the browser receives the multi-modal proxy identifier and the browser proxy identifier is evaluated by the multi-modal proxy evaluator, on a per session basis, in response to the multi-modal proxy identifier (the multi-modal proxy evaluator is taught by the modal view controller (MVC) and the browser proxy ID is located in the wrapper (42a); Figures 23 and 25, pp. 0082, 0090, 0102, 0112, 0179-0186, 0207, 0252).

As per claim 3, Boloker teaches the apparatus of claim 1 further comprising: at least one voice browser having a voice browser per session multi-modal proxy evaluator and a voice browser proxy identifier, wherein the voice browser is operably coupled to the controller and the at least one multi-modal session proxy server such that the voice browser

receives the multi-modal proxy identifier and the voice browser proxy identifier is evaluated by the voice browser per session multi-modal proxy evaluator, on a per session basis, in response to the multi-modal proxy identifier (the browser is a voice browser which is connected to the MVC and the Multi-modal shell; pp 0183-0185, 0214, 0216); and

at least one graphical browser having a graphical browser per session multi-modal proxy evaluator and a graphical browser proxy identifier, wherein the graphical browser is operably coupled to the controller and the at least one multi-modal session proxy server such that the graphical browser receives the multi-modal proxy identifier and the graphical browser proxy identifier is evaluated by the graphical browser per session multi-modal proxy evaluator, on a per session basis, in response to the multi-modal proxy identifier (the browser is a graphical browser (GUI) which is connected to the MVC and the Multi-modal shell; pp 0183-0185, 0214, 0216).

As per claim 4, Boloker teaches the apparatus of claim 3 further comprising:

at least one graphical browser multi-modal synchronization interface operably coupled to the graphical browser; at least one voice browser multi-modal synchronization interface operably coupled to at least one the voice browser (each browser has an interface manager; Figure 26 and 28, pp 0092, 0183-0187, 0201, 0226, 0228); and

at least one multi-modal synchronization coordinator operably coupled to the graphical browser multi-modal synchronization interface, the voice browser multi-modal synchronization interface and the multi-modal session proxy, wherein multi-modal session proxy server allows the multi-modal synchronization coordinator to synchronize the at least one graphical browser and the at least one voice browser (the browsers are synchronized by the interface manager and

synchronization manager; Figure 26 and 28, pp 0092, 0183-0187, 0201, 0226, 0228).

As per claim 5, Boloker teaches the apparatus of claim 4 further comprising: at least one information request provided by at least one of the at least graphical browser and the at least one voice browser to the multi-modal session proxy server whereby the multi-modal session proxy server fetches requested information from a content server (the MM shell gets information from the content server; Figure 26, pp 0082, 0092, 0111, 0112); and

wherein if the requested information is provided to the at least one voice browser, the at least one graphical browser is updated via the at least one graphical browser multi-modal synchronization interface through the multi-modal synchronization coordinator and if the requested information is provided to the at least one graphical browser, the at least one voice browser is updated via the voice browser multi-modal synchronization interface through the multi-modal synchronization coordinator (the information is processed through a synchronization coordinated and MVC; Figure 27, pp 0226-0228, 0230, 0241-0244).

As per claims 6 and 27, Boloker teaches the apparatus of claim 1 and method of claim 26 wherein the controller further comprises at least one load balancer whereupon the controller determines the multi-modal proxy identifier in response to the at least one load balancer (pp 0109, 0226, 0245)

As per claim 19, Boloker teaches a method for multi-modal communication comprising: receiving a multi-modal proxy identifier, for a browser; evaluating, on a browser proxy identifier

in response to receiving the multi-modal proxy identifier; and (the multi-modal proxy evaluator is taught by the modal view controller (MVC) and the browser proxy ID is located in the wrapper (42a); Figures 23 and 25, pp. 0082, 0090, 0102, 0112, 0179-0186, 0207, 0252). Boloker does not teach wherein the controller determines, on a per session basis, a multi-modal proxy identifier representing the proxy address of the multi-modal session proxy server sending an information request via a multi-modal session proxy server identified by the multi-modal proxy identifier. Gbadegesin teaches wherein the controller determines, on a per session basis, a multi-modal proxy identifier representing the proxy address of the multi-modal session proxy server.

See column 8, lines 43-67 and column 9, lines 1-10.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the proxy server of Boloker with the determining proxy address on a per session basis of Gbadegesin. A person of ordinary skill in the art would have been motivated to do this to provide access to other servers which are slower and more costly to access.

As per claim 20, Boloker teaches the method of claim 19 further comprising: fetching requested information from at least one content server (the MM shell gets information from the content server; Figure 26, pp 0082, 0092, 0111, 0112); and providing the requested information to the browser (the information is processed through a synchronization coordinated and MVC; Figure 27, pp 0226-0228, 0230, 0241-0244).

As per claim 21, Boloker teaches the method of claim 20 further comprising: prior to sending an information request, storing an updated browser proxy identifier in a memory

location (pp 201, 202, 206, 225).

As per claim 28, Boloker teaches the method of claim 26 further comprising: prior to determining a multi-modal session proxy server, on a per session basis, initiating a multi-modal session between a terminal and a multi-modal network element (the multi-modal proxy evaluator is taught by the modal view controller (MVC) and the browser proxy ID is located in the wrapper (42a); Figures 23 and 25, pp. 0082, 0090, 0102, 0112, 0179-0186, 0207, 0252).

As per claim 29, Boloker teaches the method of claim 28 further comprising: evaluating, on a per session basis, a browser proxy identifier in response to receiving the multi-modal proxy identifier; and receiving an information request from the browser to the multi-modal session proxy server identified by the multi-modal proxy identifier (the multi-modal proxy evaluator is taught by the modal view controller (MVC) and the browser proxy ID is located in the wrapper (42a); Figures 23 and 25, pp. 0082, 0090, 0102, 0112, 0179-0186, 0207, 0252).

As per claim 30, Boloker teaches the method of claim 28 further comprising: fetching requested information from at least one content server (the MM shell gets information from the content server; Figure 26, pp 0082, 0092, 0111, 0112); and providing the requested information to the browser (the information is processed through a synchronization coordinated and MVC; Figure 27, pp 0226-0228, 0230, 0241-0244).

***Response to Arguments***

3. Applicant's arguments with respect to claims 1-6, 19-21 and 26-30 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 5:30 AM - 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Uzma Alam  
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May 30, 2006

  
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